



Reprinted
April 20, 2011

ENGROSSED HOUSE BILL No. 1502

DIGEST OF HB 1502 (Updated April 19, 2011 5:02 pm - DI 107)

Citations Affected: Noncode.

Synopsis: Substance abuse study. Urges the legislative council to assign the topics of: (1) unlawful ingestion of controlled substances by pregnant women; (2) substance abuse by men; and (3) whether the penalty for unlawful use of a controlled substance should be based on the amount of active ingredient contained in the controlled substance; to an interim or a statutory study committee for study during the 2011 legislative interim.

Effective: July 1, 2011.

Bacon, Heaton, Riecken, McNamara
(SENATE SPONSORS — DELPH, BANKS, TAYLOR)

January 20, 2011, read first time and referred to Committee on Courts and Criminal Code.
February 17, 2011, amended, reported — Do Pass.
February 21, 2011, read second time, ordered engrossed. Engrossed.
March 28, 2011, read third time, passed. Yeas 99, nays 0.

SENATE ACTION

March 31, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
April 12, 2011, amended, reported favorably — Do Pass.
April 14, 2011, read second time, call withdrawn.
April 19, 2011, amended, ordered engrossed.

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EH 1502—LS 7060/DI 107+



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April 20, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1502

A BILL FOR AN ACT concerning unlawful ingestion of controlled substances.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2011] (a) The general
2 assembly urges the legislative council to assign the topic of
3 unlawful ingestion of controlled substances by pregnant women to
4 an interim or a statutory study committee for study during the
5 2011 legislative interim.

6 (b) If the topic of unlawful ingestion of controlled substances by
7 pregnant women is assigned to an interim or a statutory study
8 committee under subsection (a), the study committee shall issue a
9 final report to the legislative council containing the study
10 committee's findings and recommendations, including any
11 recommended legislation concerning the topic, not later than
12 November 1, 2011.

13 (c) This SECTION expires December 31, 2011.

14 SECTION 2. [EFFECTIVE JULY 1, 2011] (a) The general
15 assembly urges the legislative council to assign the topic of
16 substance abuse by men to an interim or statutory study committee
17 for study during the 2011 legislative interim.

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1 (b) If the topic of substance abuse by men is assigned to an
 2 interim or statutory study committee under subsection (a), the
 3 study committee should consider:

4 (1) the affect that substance abuse may have on sperm;

5 (2) any correlations between substance abuse by men and
 6 birth defects in the children of men who have abused drugs;
 7 and

8 (3) whether legislation should be proposed to respond to
 9 problems related to men abusing drugs.

10 (c) If the topic of substance abuse by men is assigned to an
 11 interim or statutory study committee under subsection (a), the
 12 study committee shall issue a final report to the legislative council
 13 containing the study committee's findings and recommendations,
 14 including any recommended legislation concerning the topic, not
 15 later than November 1, 2011.

16 (d) This SECTION expires December 31, 2011.

17 SECTION 3. [EFFECTIVE JULY 1, 2011] (a) The general
 18 assembly urges the legislative council to assign the topic of whether
 19 the sentences for crimes involving the unlawful use, possession, or
 20 distribution of prescription drugs should be based on the amount
 21 of active ingredient contained in each specific drug to an interim
 22 or a statutory study committee for study during the 2011 legislative
 23 interim.

24 (b) If the topic of whether the sentences for crimes involving the
 25 unlawful use, possession, or distribution of prescription drugs
 26 should be based on the amount of active ingredient contained in
 27 each specific drug is assigned to an interim or a statutory study
 28 committee under subsection (a), the study committee shall issue a
 29 final report to the legislative council containing the study
 30 committee's findings and recommendations, including any
 31 recommended legislation concerning the topic, not later than
 32 November 1, 2011.

33 (c) This SECTION expires December 31, 2011.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1502, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning unlawful ingestion of controlled substances.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1502 as introduced.)

STEUERWALD, Chair

Committee Vote: yeas 8, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1502, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, after line 13, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2011] (a) **The general assembly urges the legislative council to assign the topic of whether the sentences for crimes involving the unlawful use, possession, or distribution of prescription drugs should be based on the amount of active ingredient contained in each specific drug to an interim or a statutory study committee for study during the 2011 legislative interim.**

(b) **If the topic of whether the sentences for crimes involving the unlawful use, possession, or distribution of prescription drugs should be based on the amount of active ingredient contained in each specific drug is assigned to an interim or a statutory study committee under subsection (a), the study committee shall issue a final report to the legislative council containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, not later than**

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November 1, 2011.

(c) This SECTION expires December 31, 2011."

and when so amended that said bill do pass.

(Reference is to HB 1502 as printed February 18, 2011.)

STEELE, Chairperson

Committee Vote: Yeas 9, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1502 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new paragraph and insert:
"SECTION 2. [EFFECTIVE JULY 1, 2011] (a) The general assembly urges the legislative council to assign the topic of substance abuse by men to an interim or statutory study committee for study during the 2011 legislative interim.

(b) If the topic of substance abuse by men is assigned to an interim or statutory study committee under subsection (a), the study committee should consider:

- (1) the affect that substance abuse may have on sperm;**
- (2) any correlations between substance abuse by men and birth defects in the children of men who have abused drugs; and**
- (3) whether legislation should be proposed to respond to problems related to men abusing drugs.**

(c) If the topic of substance abuse by men is assigned to an interim or statutory study committee under subsection (a), the study committee shall issue a final report to the legislative council containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, not later than November 1, 2011.

(d) This SECTION expires December 31, 2011."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1502 as printed April 13, 2011.)

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